

FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY DOCKET NUMBER <b>CHIR-0334</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (if known see 37 CFR 1.5) <b>09/674,546</b>
INTERNATIONAL APPLICATION NO. <b>PCT/US99/09346</b>	INTERNATIONAL FILING DATE <b>30 April 1999 (30.04.1999)</b>	PRIORITY DATE CLAIMED <b>01 May 1998 (01.05.1998)</b>
TITLE OF INVENTION <b>NEISSERIA MENINGITIDIS ANTIGENS AND COMPOSITION</b>		
APPLICANT(S) FOR DO/EO/US <b>Claire FRASER, et al.</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1.	<input type="checkbox"/>	This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.
2.	<input checked="" type="checkbox"/>	This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.
3.	<input type="checkbox"/>	This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4.	<input type="checkbox"/>	A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5.	<input type="checkbox"/>	A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
	a. <input type="checkbox"/>	is transmitted herewith (required only if not transmitted by the International Bureau).
	b. <input type="checkbox"/>	has been transmitted by the International Bureau.
	c. <input type="checkbox"/>	is not required, as the application was filed in the United States Receiving Office (RO/US)
6.	<input type="checkbox"/>	A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7.	<input type="checkbox"/>	Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
	a. <input type="checkbox"/>	are transmitted herewith (required only if not transmitted by the International Bureau).
	b. <input type="checkbox"/>	have been transmitted by the International Bureau.
	c. <input type="checkbox"/>	have not been made; however, the time limit for making such amendments has NOT expired.
	d. <input type="checkbox"/>	have not been made and will not be made.
8.	<input type="checkbox"/>	A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9.	<input type="checkbox"/>	An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4).
10.	<input type="checkbox"/>	A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).
<b>Items 11. to 16. below concern other document(s) or information included:</b>		
11.	<input type="checkbox"/>	An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12.	<input type="checkbox"/>	An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13.	<input type="checkbox"/>	A FIRST preliminary amendment.
	<input checked="" type="checkbox"/>	A SECOND or SUBSEQUENT preliminary amendment.
14.	<input type="checkbox"/>	A substitute specification.
15.	<input type="checkbox"/>	A change of power of attorney and/or address letter.
16.	<input checked="" type="checkbox"/>	Other items or information:
		- Sequence Listing in 3 compact disks (copy 1 being the paper copy and copies 2 & 3 being the computer readable form).
		- Statement to Support Filing and Submission.
		- A copy of the Notification of Defective Response dated June 27, 2003

EV321472627US

EXPRESS MAIL Mailing Label No. EV 321472627 US  
Date of Deposit: 17 July 2003

U.S. APPLICATION NO. (if known 37 C.F.R. 1.5) <b>09/674,546</b>	INTERNATIONAL APPLICATION NO. <b>PCT/US99/09346</b>	ATTORNEY DOCKET NUMBER <b>CHIR-0334</b>
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17. <input type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO <span style="float: right;"><b>\$1,060.00</b></span>  International preliminary examination fee (37 CFR 1.482 not paid to USPTO but International Search Report has been prepared by the EPO or JPO <span style="float: right;"><b>\$900.00</b></span>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO <span style="float: right;"><b>\$750.00</b></span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) <span style="float: right;"><b>\$720.00</b></span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) <span style="float: right;"><b>\$100.00</b></span>	CALCULATIONS      PTO USE ONLY
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ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total claims	- 20 =		X \$18.00	\$	
Independent Claims	- 3 =		x \$84.00	\$	
Multiple dependent claims(s) (if applicable)			+ \$280.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
<b>TOTAL FEES ENCLOSED =</b>				\$	
				Amount to be:	\$
				refunded	
				charged	\$

  

a. ☐ A check in the amount of \$ \_\_\_\_\_ to cover the above fee is enclosed.

b. ☐ Please charge my Deposit Account No. 23-3050 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.

  

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

  

SEND ALL CORRESPONDENCE TO:

**Dianne B. Elderkin**  
 Woodcock Washburn LLP  
 One Liberty Place - 46th Floor  
 Philadelphia, PA 19103  
 (215) 568-3100

SIGNATURE

**Jane E. Inglesse**  
 NAME

**48,444**  
 REGISTRATION NUMBER



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
P.O. Box 1458  
Alexandria, Virginia 22313-1458  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/674,546	Guido Grandi	PP00365.301

Alisa A Harbin  
Chiron Corporation  
Intellectual Property R338  
PO Box 8097  
Emeryville, CA 94662-8097

INTERNATIONAL APPLICATION NO.	
PCT/US99/09346	
LA. FILING DATE	PRIORITY DATE
04/30/1999	05/01/1998

CONFIRMATION NO. 9020  
371 FORMALITIES LETTER



\*OC000000010362652\*

Date Mailed: 06/27/2003

**NOTIFICATION OF DEFECTIVE RESPONSE**

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- Priority Document
- Copy of the International Application filed on 11/01/2000
- Copy of the International Search Report filed on 11/01/2000
- Copy of IPE Report filed on 11/01/2000
- Preliminary Amendments filed on 11/04/2002
- Biochemical Sequence Diskette filed on 05/13/2003
- Oath or Declaration filed on 11/04/2002
- Biochemical Sequence Listing filed on 05/13/2003
- Request for Immediate Examination filed on 11/01/2000
- Copy of references cited in ISR filed on 11/01/2000
- U.S. Basic National Fees filed on 11/01/2000
- Power of Attorney filed on 11/04/2002

Applicant's response filed 05/13/2003 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 04/04/2002 have not been completed.

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
  - A copy of the "Sequence Listing" in computer readable form has been submitted. The content of the computer readable form, however, does not comply with the requirements of Annex C of the Administrative Instructions and 37 CFR 1.822 and/or 1.832, as indicated on the attached marked-up

copy of the "Raw Sequence Listing."

- The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).

■ **APPLICANT MUST PROVIDE:**

- An initial or substitute computer readable form (CRF) of the "Sequence Listing."
- An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.

- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (703) 308-4218
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at [patin21help@uspto.gov](mailto:patin21help@uspto.gov) or [patin3help@uspto.gov](mailto:patin3help@uspto.gov)

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

VONDA M WALLACE

Telephone: (703) 305-3736

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/674,546	PCT/US99/09346	PP00365.301